

## Remarks

### I. 35 U.S.C. § 101

In the Office Action, the Examiner has rejected Claims 33-42 and 45-47 based on 35 U.S.C §101 as not being directed to a patent eligible process. With respect to independent Claim 33, upon which the remaining claims that are the subject of this rejection depend. Applicant has amended the preamble of independent Claim 33, to clarify that the computer implemented method is “On a point of service in a mail stream” and thus further tying the claimed invention to a statutory class.

### II. Rejections Based on 35 U.S.C. § 103

#### a. Claims 33-42, 45-47, 49-58, 61-63, 81-89, and 92-94

In the Office Action, the Examiner rejected Claims 33-42, 45-47, 49-58, 61-63, 81-89, and 92-94 as being unpatentable over the four-reference combination of Kara (U.S. Patent No. 6,233,568), Manduley (U.S. Patent No. 5,324,893), Sansone (U.S. Patent No. 5,019,991), and Official Notice as evidenced by Lidow (U.S. Patent No. 6,889,197). With respect to these Claims that are the subject of this rejection, Applicant respectfully traverses.

Applicant notes the inclusion in independent Claims 33, 49 and 81 of “delivering the parcel with the mailing label indicating the first postage value without referencing the postage payment adjustment amount.” Support for this can be found at paragraph [0048], which discloses “even if the postage value of mailing label **600** is insufficient, parcel **160** may continue without delay.” Manduley provides for a mailpiece having postage affixed thereto and canceling it with a mark which includes the actual postage which should be affixed. Manduley, Abstract. Sansone discloses a certification stamp that provides a means for indicating that a mail piece has gone through a correct accounting process. Sansone, Col. 4, Lines 23-26. As shown, Manduley

and Sansone disclose altering the parcel for showing postage payment adjustments, i.e. through affixing the actual postage or attaching a certification stamp. Neither contemplates the implementation of retaining the first postage value without referencing the postage payment adjustment amount. Neither Kara, nor the Official Notice as evidenced by Lidow, are cited for the above-referenced proposition. Therefore, applicant respectfully submits that this limitation is neither taught nor suggested by the prior art.

Accordingly, Applicant respectfully submits that amended independent Claims 33, 49 and 81 are not obvious and are patentable over the cited four-reference combination. Rejected claims 34-42, 45-47, 50-58, 61-63, 82-89, and 92-94 depend directly or indirectly from one of these independent claims. Applicant respectfully submits that for the same reasons that Claims 33, 49 and 81 are patentably distinguishable from the prior art, Claims 34-42, 45-47, 50-58, 61-63, 82-89, and 92-94 are also patentably distinguishable.

b. Claims 33-42, 45-47, 49-58, 61-63, 81-89, and 92-94

In the Office Action, the Examiner rejected Claims 33-42, 45-47, 49-58, 61-63, 81-89, and 92-94 as being unpatentable over the four-reference combination of Ramsden (U.S. Patent No. 6,105,404), Manduley (U.S. Patent No. 5,324,893), Sansone (U.S. Patent No. 5,019,991), and Official Notice as evidenced by Lidow. With respect to the claims that are the subject of this rejection, Applicant respectfully traverses on the same grounds set forth above, inasmuch as the Ramsden reference is acknowledged as not teaching either of the limitations set above.

## II. Conclusion

In conclusion, Applicant respectfully submits that this Amendment, including the amendments to the Claims and in view of the Remarks provided in connection therewith, fully responds to all aspects of the Examiner's objections and rejections tendered in the Office Action. Applicant therefore earnestly solicits the issuance of a Notice of Allowance with respect to Claims 33-42, 45-47, 49-58, 61-63, 81-89, and 92-94.

If there are any fees incurred by this Amendment, please deduct them from our Deposit Account No. 23-0830.

Respectfully submitted,

/Jeffrey Weiss/

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